

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Michael Smalley Sr.
Betty Smalley

Bankruptcy No. 12-58830
Honorable WALTER SHAPERO
Chapter 13

Debtors

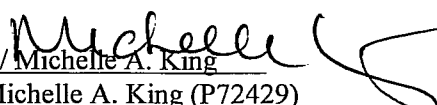
DEBTORS' FIRST PROPOSED PLAN MODIFICATION

Debtors, by and through their attorneys, CHIMKO & ASSOCIATES, P.C. in support of their First Proposed Plan Modification, states as follows:

1. Debtor's case was filed on August 15, 2012, and confirmed on December 7, 2012.
2. Debtor husband's long-term disability has terminated as of the month of March 2013, while at the same time; debtors no longer have one of their vehicle payments in the monthly amount of \$546.00 as that obligation has terminated (see Exhibit A – disability termination letter). Therefore, debtors have had a decrease in their overall disposable income. Please note that it appears as though the step increases in debtors' plan were switched in regards to the two vehicle payoffs.
3. Debtors had trouble making their plan payments as they struggled to make sure the right amount of funds were available in their bank account. Therefore, debtors are delinquent in plan payments in the amount of \$9,405.00.
4. For the above reasons, debtors propose to cure the delinquency in plan payments by remitting an additional \$285.00 per month on top of their newly proposed plan payment.
5. For the above reasons, debtors propose to decrease their plan payment to \$1,792.00 monthly (a total of \$2,077.00 to cure their delinquency). Debtors propose that the step increase effective June, 2013 be decreased to \$2,114.29 monthly, or \$2,399.29 monthly in order to cure the delinquency in the plan payments.
6. For the above reason, debtor proposes to reduce the base amount offered to Class Eight general unsecured creditors from \$37,012.92 of all filed claims a base amount of \$4,623.44 of all filed claims.
7. The proposed plan modification will have no impact on Classes One, Two, Three, Four, Five, Six, or Seven. The proposes plan modification impacts Class Eight in that they will receive less than they were to receive under the confirmed plan.

WHEREFORE, Debtors respectfully request this honorable court grant their First Proposed Plan Modification.

Dated: March 26, 2013


/s/ Michelle A. King
Michelle A. King (P72429)

CHIMKO & ASSOCIATES, P.C.
26212 Woodward Avenue
Royal Oak, MI 48067
(248) 284-1661
dmengel@chimkolaw.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Michael Smalley Sr.
Betty Smalley

Bankruptcy No. 12-58830
Honorable WALTER SHAPERO
Chapter 13

Address: 1150 Losey Road, Rives Junction, MI 49277

SSN: xxx-xx-1224

SSN: xxx-xx-3541

Debtors

NOTICE OF DEADLINE TO OBJECT TO PROPOSED CHAPTER 13 PLAN MODIFICATION

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

The deadline to file an objection to the attached proposed Chapter 13 plan modification is **21 days after service.** Any objection must be filed with Court at:

United States Bankruptcy Court, 211 West Fort Street, Detroit, MI 48226

Your objection must be received by the Court on or before the date stated above. All attorneys are required to file pleadings electronically.

Objections to the attached proposed plan modification must also be served on the following:

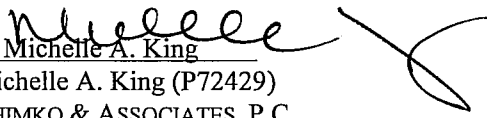
Tammy Terry, Chapter 13 Trustee, 535 Griswold, Suite 2100, Detroit, MI 48076
CHIMKO & ASSOCIATES, P.C. 26212 Woodward Avenue, Royal Oak, MI 48067

If no timely objection is filed, the proponent of the plan modification may file a certificate of no objection and the modified plan will then become effective.

If a timely objection is filed and served, the clerk will set the matter for hearing and give notice of the hearing to the Debtor, the proponent of the plan modification, the Trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: March 26, 2013


/s/ Michelle A. King
Michelle A. King (P72429)
CHIMKO & ASSOCIATES, P.C.
26212 Woodward Avenue
Royal Oak, MI 48067
(248) 284-1661
dmengel@chimkolaw.com

Metropolitan Life Insurance Company
MetLife Disability, P O Box 14590, Lexington, KY 40511
Phone: 1-800-300-4296 Fax: 1-800-230-9531



January 4, 2013

Michael Smalley Sr
1150 Losey Road
Rives Junction, MI 49277-0000

RE: Employer: GEORGIA-PACIFIC WOOD
PRODUCTS
Claim #: 700107128620
ID Number:

Dear Mr. Michael Smalley Sr:

We are writing in regard to your claim for Long Term Disability (LTD) benefits.

This is to inform you that your last payment for LTD benefits is March 12, 2013. As of this date, your claim will be paid in full according to the terms of your group plan, and no additional disability benefits will be issued.

It has been a pleasure to be of service to you and please accept our best wishes for the future.

If you have questions or need additional information regarding your claim, please contact our Customer Response Center Monday through Friday from 8:00 A.M. to 11:00 P.M. Eastern Time at 1-800-300-4296 ext 5931. Our Customer Response Center representatives can assist you with your claim questions.

Sincerely,

Adelaide Nasypany
MetLife Disability

RP1303040154_1-2-2



13Network

Enter Case Number, Name, Social Security Number, or @1st Address Line:

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Recently Accessed Cases | 12-58830-WSD Michael

12-58830-WSD	Michael E. Smalley, Sr. (xxx-xx-1224)	1150 Losey Road • Rives Junction • MI • 49277	\$3,135.00 MO/	Bar Date(s):	12/24/2012 (has passed)
	Betty S. Smalley (xxx-xx-3541)	1150 Losey Road • Rives Junction • MI • 49277		Confirmed:	12/7/2012
	Trustee: Tammy L. Terry	Attorney: CHIMKO & ASSOCIATES		Case Status:	Active, Open Case

The data on these pages has not been audited and is provided for general information only.

3 Month(s) since Confirmation UP = \$0.00 TPI = \$12,390.00 BOH = \$3,135.00

Line	Name	Claimed Amount	Mortgage Due	Coll / Value	Interest Rate	Monthly Payment	To Be Paid	Mo
ATTORNEY FEE								
1	CHIMKO & ASSOCIATES	\$2,000.00		\$2,000.00			\$2,000.00	
A-ARREARS								
2	CitiMortgage, Inc.	\$19,334.01		\$19,334.01		\$585.88	\$19,334.01	32
3	ADDED CREDITOR							
4	ADDED CREDITOR							
E-LEASE								
5	ADDED CREDITOR							
F-ADM EXP CLAIM								
6	ADDED CREDITOR							
G-CONTINUING Lease, Secured or Vehicle								
7	ADDED CREDITOR							
8	ADDED CREDITOR							
GAP Mortgage or Lease								
9	ADDED CREDITOR							
M-MORTGAGE								
10	CitiMortgage, Inc.					\$1,190.79	\$39,296.07	
11	CitiMortgage, Inc.	\$2,043.28		\$2,043.28			\$2,043.28	
12	ADDED CREDITOR							
13	ADDED CREDITOR							
P-PRIORITY								
14	ADDED CREDITOR							
15	ADDED CREDITOR							
S-SECURED								
16	ADDED CREDITOR							
17	ADDED CREDITOR							
V- VEHICLE								
18	ADDED CREDITOR							
19	ADDED CREDITOR							
WATER BILL								
20	ADDED CREDITOR							
ASSOCIATION DUES CONTINUING								
21	ADDED CREDITOR							
22	ADDED CREDITOR							
SECURED CLASS 5.1 EMPmts								
23	ADDED CREDITOR							
24	ADDED CREDITOR							
VEHICLE CLASS 5.1 EMPmts								
25	ADDED CREDITOR							
26	ADDED CREDITOR							
All Unsecured Creditors								
27		Total Unsecured	77057.33		Percent Allowed	6	Amount Allowed	\$4,623.44

Change Line# 0

☐ OK Plan Terms 33☐ Calc

Unsecured % 6

☐ Calc

Due to Creditors:

\$1,890.07

\$71,592.34

In from Debtor:

\$2,077.00

\$71,676.00

Trustee's % 6

Lump Sum \$ 3,135.00

Delete Line 0

☐ OK

Debtor 1 Pay Schedules

Who's Paying	Amount	Schedule	Upd	Calc
DEBTOR DIRECT	\$2,077.00	MONTHLY	\$?
Michael E. Smal	\$0.00	WEEKLY	\$?

Debtor 2 Pay Schedules

Who's Paying	Amount	Schedule	Upd	Calc
Betty S. Smalle	\$0.00	WEEKLY	\$?

Tammy L. Terry - Detroit, MI

Your Chapter 13 Information Management System

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EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Michael Smalley Sr.
Betty Smalley

Debtors

Bankruptcy No. 12-58830
Honorable WALTER SHAPERO
Chapter 13

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the following:

First Chapter 13 Post-Confirmation Plan Modification

was electronically served on the 26th day of March, 2013, upon:

Tammy L. Terry mieb_ecfadmin@det13.net

was served via First Class Mail, pre-paid postage, on the 26th day of March, 2013, addressed as follows:

All parties on the attached matrix.

/s/ Colleen J. Lerminez

CHIMKO & ASSOCIATES, P.C.

Colleen J. Lerminez, Legal Assistant

26212 Woodward Avenue

Royal Oak, MI 48067

(248) 284-1661

dmengel@chimkolaw.com



Label Matrix for local noticing
0645-2
Case 12-58830-wsd
Eastern District of Michigan
Detroit
Tue Mar 26 13:31:02 EDT 2013

Santander Consumer USA
P.O. Box 560284
Dallas, TX 75356-0284

Allegiance Health
W.A. Foote Memorial
Department 64787
Drawer 64000
Detroit, MI 48264-0001

CAPITAL ONE BANK (USA), N.A.
PO Box 12907
Norfolk VA 23541-0907

Capital One NA
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

CitiMortgage, Inc.
P.O. Box 6243
Sioux Falls, SD 57117-6243

Country Door
1112 7th Avenue
Monroe, WI 53566-1364

Fingerhut
Credit Account Services
P.O. Box 1250
Saint Cloud, MN 56395-1250

GE Capital Retail Bank
Attn: Bankruptcy Department
PO Box 960061
Orlando FL 32896-0661

GE Money Bank - CareCredit
Attn: Bankruptcy Department
P. O. Box 103104
Roswell, GA 30076-9104

Michigan Rural Rehabilitation Corporation
P.O. Box 188
Marshall, MI 49068-0188

AZUREA I, LLC
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

American Medical Collection Agency
4 Westchester Plaze
Suite 110
Elmsford, NY 10523-1615

CAPITAL ONE, N.A.
PO Box 12907
Norfolk VA 23541-0907

Center for Family Health
505 N. Jackson Street
Jackson, MI 49201-1266

Client Services, Inc.
3451 Harry S. Truman Blvd.
Saint Charles, MO 63301-9816

Country Door
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

First Financial Asset Mgmt, Inc
P.O. Box 901
Fort Mill, SC 29716-0901

GE Capital Retail Bank
P.O. Box 960061
Orlando, FL 32896-0061

GE Money Bank - JC Penney
Attn: Bankruptcy Department
P.O. Box 103104
Roswell, GA 30076-9104

CitiMortgage, Inc.
P.O. Box 688971
Des Moines, IA 50368-8971

Allegiance Health
Physician Billing
205 N. East Avenue
Jackson, MI 49201-1753

Applied Bank
P.O. Box 11170
Wilmington, DE 19850-1170

Capital One
Bankruptcy Claims Servicer
P.O. Box 85167
Richmond, VA 23285-5167

CitiFinancial, Inc.
P.O. Box 70919
Charlotte, NC 28272-0919

Convergent Outsourcing, Inc.
800 SW 39th Street
P.O. Box 9004
Renton, WA 98057-9004

Credit One Bank
P.O. Box 98873
Las Vegas, NV 89193-8873

First Premier Bank
P.O. Box 5519
Sioux Falls, SD 57117-5519

GE Capital Retail Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

GE Money Bank - Lowe's
Attn: Bankruptcy Department
P.O. Box 103104
Roswell, GA 30076-9104





Richard Dowd
1121 N. Michigan Ave.
Saginaw, MI 48602-4762

Rose City Family Practice, P.C.
300 W. Washington Ave.
Ste. 150
Jackson, MI 49201-2175

Santander Consumer USA, Inc.
Attention Bankruptcy Department
P.O. Box 560284
Dallas, TX 75356-0284

Sears Gold MasterCard
P.O. Box 6922
The Lakes, NV 88901-6922

Seventh Avenue
1112 7th Avenue
Monroe, WI 53566-1364

Seventh Avenue
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

The Swiss Colony
1112 7th Avenue
Monroe, WI 53566-1364

The Swiss Colony
c/o Creditors Bankruptcy Service
P.O. Box 740933
Dallas, TX 75374-0933

WFCE - Blair
Bankruptcy Department
P.O. Box 183043
Columbus, OH 43218-3043

Web Bank, Gettington.com
6440 S. Wasatch
Ste. 300
Salt Lake City, UT 84121-3518

Wells Fargo Bank, N.A., dba Wells Fargo Dir
P.O. Box 19657
Irvine, CA 92623-9657

Wells Fargo Financial Acceptance
P.O. Box 250
Essington, PA 19029-0250

eCAST Settlement Corporation
POB 29262
New York NY 10087-9262

Betty S. Smalley
1150 Losey Road
Rives Junction, MI 49277-9762

Michael E. Smalley Sr.
1150 Losey Road
Rives Junction, MI 49277-9762

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The following recipients may be/have been bypassed for notice due to an undeliverable (i) or duplicate (d) address.

(d)Citimortgage

End of Label Matrix
Mailable recipients 76
Bypassed recipients 1
Total 77

